

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JAMES SEABA, et al.,

Plaintiffs,

vs.

Civ. No. 02-103 LH/WWD

MESOSYSTEMS TECHNOLOGY, INC.,

Defendant.

ORDER

This matter comes before the Court *sua sponte* after a telephonic status conference on February 25, 2003. The Initial Pretrial Report deadlines shall be extended as follows:

The termination date for discovery is MAY 16, 2003, and discovery shall not be reopened, except by an order of the Court upon a showing of good cause. This deadline shall be construed to require that discovery be completed on or before the above date. Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline. The pendency of dispositive motions shall not stay discovery.

Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) shall be filed with the Court and served on opposing parties by MAY 27, 2003; responses shall be filed with the Court and served on opposing parties by JUNE 10, 2003; and replies, if any, and Notice of Completion of Briefing shall be filed with the Court

and served on opposing parties by JUNE 24, 2003. See D.N.M. LR-Civ. 7. This deadline shall not be construed to extend the twenty-day time limit in D.N.M. LR-Civ. 26.6.

Defendant shall identify in writing any expert witness to be called by Defendant at trial and shall serve reports from such experts as required by Fed. R. Civ. P. 26(a)(2)(B) no later than March 19, 2003.

Pretrial motions, other than discovery motions, shall be filed with the Court and served on opposing party by JULY 3, 2003; the response shall be filed with the Court and served on opposing party by JULY 17, 2003; and the reply, if any, and Notice of Completion of Briefing shall be filed with the Court and served on opposing party by JULY 31, 2003. Any pretrial motions, other than discovery motions, filed after the above dates shall be considered untimely in the discretion of the Court.

Counsel are directed to file a consolidated final Pretrial Order as follows: Plaintiffs to Defendant by SEPTEMBER 8, 2003; Defendant to Court by SEPTEMBER 18, 2003.

Before 12:00 Noon on Thursday, February 27, 2003, counsel for the parties will contact the undersigned to report on their setting of a schedule for taking depositions during the month of April.

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE